



# TOWN OF LOS GATOS

## OBJECTIVE STANDARDS DEVELOPMENT

### Summary

The Town of Los Gatos is developing objective standards for the review of multi-family housing and mixed-use development applications. This effort is in response to State legislation requiring jurisdictions to adopt objective standards and to implement them in a streamlined review of qualifying housing projects.

### Purpose/Intent

The purpose of developing objective standards is to:

- Comply with recent State housing legislation;
- Implement streamlined and ministerial review processes for qualifying projects;
- Ensure that qualifying projects align with the Town's expectations and vision to maintain and support the character of the Town;
- Provide a set of clear criteria to guide development; and
- Establish an objective framework by which a qualifying project will be evaluated.

### What Are Objective Standards?

- Objective standards are defined under State law as “standards that involve no personal or subjective judgement by a public official and are uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official prior to submittal” (California Government Code, Section 65913.4);
- A powerful tool that allow communities to respond to State housing laws that are reducing local control of development; and
- Provide an opportunity to ensure that the appearance of new development is compatible with the Town's vision.

### State Legislation

#### **SB 167**

##### **Housing Accountability Act**

Local government may not deny, reduce density, or make infeasible housing projects consistent with objective design standards.

#### **SB 35**

##### **Streamlined Affordable Housing**

Requires approval of qualified housing projects based on objective regulatory standards.

#### **SB 330**

##### **Housing Crisis Act**

Prohibits imposing or enforcing new design standards established on or after January 1, 2020, that are not objective.

## DISCRETIONARY vs MINISTERIAL REVIEW

### Discretionary Review

- Project undergoes design review;
- Qualitative judgement and review by Town staff and deciding bodies; and
- Deciding bodies determine the project's compliance with **design guidelines**.

### Ministerial Review

- Streamlined review by Town staff ;
- Removes personal or subjective judgement; and
- Consistency with **objective design standards** is the primary tool for project review.

## DESIGN GUIDELINES vs OBJECTIVE STANDARDS

### Design Guidelines

- Used for discretionary approval in a public hearing process; and
- Recommendations that are subject to interpretation.

### Objective Standards

- Regulatory tool for streamlined review; and
- Measurable, quantifiable, easily defined, and enforceable requirements.

## Project Timeline

### PROJECT INITIATION

- Review legislation and existing guidelines and standards; and
- Collect Planning Commission subcommittee feedback.

### DEVELOPMENT OF DRAFT OBJECTIVE STANDARDS

- Collate feedback from subcommittee, public, and stakeholders; and
- Develop draft objective standards.

### REVIEW AND ADOPT FINAL OBJECTIVE STANDARDS

- Public hearings with the Planning Commission and Town Council.

### COMMUNITY ENGAGEMENT

- Public meeting; and
- Gather feedback from residents and stakeholders.

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### IMPLEMENTATION

- Incorporate objective standards into review of qualifying projects; and
- Initiate any necessary changes to the Town Code.



## Questions or comments?

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